



FILED

08 APR 23 PM 1:59

**Before the United States District Court
Northern District of California
450 Golden Gate Ave
San Francisco, CA 94102**

**Chris Walters,
PO Box 232
Las Cruces, NM 88004
Plaintiff Pro Se**

vs.

Case Number C0800483 EMC

**Michael Astrue,
Commissioner SSA**

The Honorable Edward M Chen Presiding

**Plaintiff's Notice of Compliance With Court ORDER
To Amend Complaint In Proper Venue**

**NOW COMES THE Plaintiff Christopher A Walters before the Honorable United States
District Court to enter this Notice of Compliance with Court ORDER to wit:**

- 1. The Honorable US District Court had issued an ORDER to Chris Walters to
file an amended complaint by April 5th, 2008 which Chris Walters failed to address
in a timely manner because of change of residence to New Mexico.**
- 2. Exhibit A: is an amended Complaint filed in the US District Court in the District
Of New Mexico Case No Civ-08-380 the Honorable Judge Robert H Scott Presiding
where summons have been issued as Judge Chen suggested in the proper venue.**
- 3. Judge Judith Herrera has issued an ORDER of April 17th, 2008 which seems to address
most of the questions at bar that neither Chris Walters nor Social Security Administration
have any basis for litigation of the final determination of Social Security Commissioner
Linda McMahon pursuant to Title 42 USC 405 (h, g)**

Discussion On Merits

**Judge Herrera explained that the only means of the parties to review the final determination of
Social Security Commissioner Linda McMahon is before a US District Court pursuant to Title 42
USC 405 (h, g) and all other proceedings are moot. Chris Walters is currently receiving SSI benefits
and would be hard put to file a complaint for SSI benefits at this time since they are already being
provided. Social Security Officials are not known to have any legal mechanism to review or set aside
a Final Determination-so it appears litigational efforts by both parties are moot.**

While most competent attorney's would not challenge their own legal victory it appears that the Administrative Law Staff of the Social Security Administration has been actively undermining their own agreement made before the US District Court and intends to complete another denial which as a final determination is again subject to direct review by another US District Court.

While Chris Walters has spent \$7,000 of his back pay to proceed with medical treatment recommended by social security doctors the ORDER of Judge Herrera points out that the informal agreement with SSA is not legally binding. If for instance Chris Walters SSI and medicade are cut off and the medical work cannot be completed there are no apparent sanctions where Social Security officials damaged their own cause.

Chris Walters certainly thanks the Court for it's patience and hopes the explanation and actions taken are accepted as compliance with the ORDER of the USDC, NDC and the case as filed in the Northern District of California is both closed and completed.

Respectfully Submitted By

Chris Walters, Plaintiff Pro Se

Chris Walters April 18, 2008

United States District Court
US District of New Mexico
U.S. District Court
333 Lomas N.W.
Albuquerque, NM 87102
505-348-2013

FILED
U.S. DISTRICT COURT
DISTRICT OF NEW MEXICO

08 APR 10 PM 4: 03

CLERK-LAS CRUCES

Chris Walters
Plaintiff Pro Se
PO Box 232
Las Cruces, NM 88004-0232
Plaintiff Pro Se

CIV 08-380

WPL/LAM

Civil Number _____

vs.

Presiding Judge Robert H Scott

MICHAEL J. ASTRUE, et al
Commissioner Of Social Security
The Social Security Administration
6401 Security Blvd
Baltimore, MD 21235-6401
Defendant

Complaint

NOW COMES THE PLAINTIFF Pro Se Chris Walters before the Honorable United States District Court in the District of New Mexico to file this action at law to wit:

1. **Jurisdiction:** The United States District resides in TITLE 28 1343. Civil rights and elective franchise and Title 28 USC 1291 and the Order of the Court in USDC Walters v Asture 07-cv-257.-
2. **Cause of Action:** The Court is asked to consider if the Social Security Administration violated Chris Walters rights to the due process and equal protection of the law guaranteed by the 5th Amendment when the Commissioner's representatives usurped the rights of the 10th US Circuit Court of Appeals to review Walters vs Astrue and the Order of the USDC, NM Court cv-07-275?
3. **Relief Sought:** The Plaintiff Prays for an award of \$1.5 in damages from the Commissioner et al or such other relief as the Court might grant as explained more fully in the attached

Memorandum of Law.

Respectfully Submitted By
Chris Walters, Plaintiff Pro Se
PO Box 232
Las Cruces, NM 88004-0232

Chris Walters